REMARKS

Applicant respectfully requests reconsideration of this application as amended. Claims 1, 7, 8, 15, 17, and 21 have been amended. No claims have been cancelled. No claims have been added.

Therefore, claims 1-5, 7-11, 14-18 and 21 are hereby presented for examination.

Correction to Claim Status

Paragraph 3 of the Office Action states that "Claims 7-11, 14-18, and 21 have been examined and are pending with this action", with no mention of claims pending claims 1-5.

Similarly, paragraph 6 of the Office Action states that "Claims 7-11, 14-18, and 21 have been rejected and remain pending."

It is requested that the Office Action be corrected to refer to pending claims 1-5, 7-11, 14-18, and 21.

35 U.S.C. § 103 Rejection

Bekritsky, et al. in view of Lovett, et. al.

Claims 1-5, 7-11, 14-18 and 21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Bekritsky, et al., U.S. Pat. Pub. No. 2002/0059535 ("*Bekritsky*") in view of Lovett, et al., U.S. Pat. No. 6,591,370 of ("*Lovett*").

Claim 1, as amended herein, is as follows:

1. A method comprising:
   recording a first node local time of receiving a wirelessly transmitted packet at a first node, the first node local time recorded with a monotonically increasing clock of the first node;

recording a second node local time of receiving the wirelessly transmitted packet at a second node, the second node local time recorded with a monotonically increasing clock of the second node;

wirelessly transmitting the first node recorded local time by the first node to at least the second node;

receiving the first node recorded local time at the second node and recording the first node local time of receiving the wirelessly transmitted packet; and

synchronizing a second node timing model with a first node timing model, wherein the first and second node timing models are updated at predetermined speeds to provide controlled time interval length adaptation; and

synchronizing the first and second node timing models with a global clock associated with the first node and the second node.

In the Examiner's Response to Arguments, the Examiner finds that the Applicant's arguments with respect to the limitation of "wherein the first and second timing models are updated at predetermined speeds to provide controlled time intervals" in claims 1, 8, and 15 are not persuasive, finding that "*Bekritsky* clearly teaches that the updating synchronization of the internal clocks of the receiving stations [missing word?] at a predetermined rate (see pg. 3, claim 6)."

It is submitted that the Examiner the cited portion of the reference is not relevant to the elements of the claims because it refers to a different kind of speed. Claim 6 of *Bekritsky* reads as follows:

6. The method according to claim 2, further comprising the step of: repeating the transmitting, comparing and computing steps to

update synchronization of the internal clocks of the receiving stations at a predetermined rate.

Claim 6 is dependent on claims 1 and 2 of *Bekritsky*. Claims 1 and 2 read as follows:

> 1. A method for synchronizing internal clocks of receiving stations of a system, comprising the steps of: transmitting a reference data packet from a beacon at a known position; comparing a first arrival time and a second arrival time to determine a correlated arrival time data, the first arrival time being a time of reception of the reference data packet by a first receiving station, the second arrival time being a time of reception of the reference data packet by a second receiving station; computing a linear polynomial fit as a function of the correlated arrival time data and the first and second arrival times; and synchronizing the first and second arrival times of the reference data packet at the first and second receiving stations as a function of the linear polynomial fit.
>
> 2. The method according to claim 1, wherein the computing step includes the substeps of: assuming equal distances between the beacon and the first and second receiving stations, computing a slope and a y-intercept of the correlated arrival time data; and computing a bias of the correlated arrival time data as a function of known distance differences between the beacon and the first and second receiving stations.

The "transmitting, comparing and computing steps" in claim 6 are referring to transmitting a reference data packet from a beacon at a known position; comparing a first arrival time and a second arrival time to determine a correlated arrival time data; and computing a linear polynomial fit as a function of the correlated arrival time data and the first and second arrival times. These steps are repeated "to update synchronization of the internal clocks of the receiving stations at a predetermined rate".

The claim provided in *Bekritsky* is unfortunately written in an unclear manner, but Applicant submits that, from the context of the *Bekritsky* application, what this means is that the rate to which each clock is to be synchronized – the clock rate – is predetermined, and the steps of transmitting, comparing, and computing are repeated to synchronize each of the clocks to this rate.

This is compared with "the first and second node timing models are updated at predetermined speeds to provide controlled time interval length adaptation", which refers to the speed of model parameter updates. In this regard, paragraph 0044 of the present application provides that "In one embodiment, to provide a global clock to distributed platforms, the global clock is to be monotonically increasing; and the speed of model parameter updates are limited to provide smooth time interval length adaptation." Thus, *Bekritsky* is referring to predetermined clock speeds, and the claim at issue is referring to the speed of updates, which are unrelated concepts.

It is submitted that *Lovett* does contain the element missing from *Bekritsky*, and thus the combination of the references cannot teach or reasonably suggest the elements of the claims. As explained in the previous response, *Lovett* discloses a multimode multiprocessor computer system with distributed local clocks wherein a local clock may be synchronized with other clocks in the system without affecting the operation of the other clocks. A local clock to be synchronized is reset and counts an elapsed time since the reset. Simultaneously with resetting the local clock, a clock value from a clock on a source node is copied to the node to be synchronized and added to the elapsed time. The resulting summation is then stored in the local clock to by synchronized. As a result the local clock is synchronized to the clock on the source node. The synchronization may occur while nodes are fully operational without resetting, stopping, or affecting the local

clocks on the fully operational nodes. This synchronization allows for dynamic partitioning wherein processor resources may be modified during operation of the computer system. (*Lovett,* Abstract; col. 1, line 65 to col. 2, lines 9)

In contrast, claim 1, in pertinent part, recites 1) "wirelessly transmitting the first node recorded local time . . . to at least the second node", 2) "receiving the first node recorded local time at the second node", and 3) "synchronizing a second node timing model with a first node timing model, wherein the first and second node timing models are updated at predetermined speeds to provide controlled time interval length adaptation." (emphasis added). *Lovett* does not contain such elements, and thus neither reference teaches or reasonably suggests the elements of the claims.

Applicants respectfully submit that *Bekritsky* and *Lovett*, neither individually nor when combined, teach or reasonably suggest "synchronizing a second node timing model with a first node timing model, wherein the first and second node timing models are updated at predetermined speeds to provide controlled time interval length adaptation" as recited by claim 1. Accordingly, for at least this reason, claim 1 is distinguishable over *Bekritsky* and *Lovett*. Applicants respectfully request the withdrawal of the rejection of claim 1.

Claims 8 and 15 include limitations similar to those of claim 1, and it is submitted that the arguments presented above also apply to claims 8 and 15. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 8 and 15. The remaining claims are dependent claims, and are allowable as being dependent on the allowable base claims.

Conclusion

Applicant respectfully submits that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicant respectfully requests the rejections be withdrawn and the claims as amended be allowed.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (503) 439-8778 if there remains any issue with allowance of the case.

Request for an Extension of Time

Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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